

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number

09/929571

CLAIMS AS FILED - PART I

(Column 1)

(Column 2)

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a))		
TOTAL CLAIMS (37 CFR 1.16(c))	minus 20 =	
INDEPENDENT CLAIMS (37 CFR 1.16(b))	minus 3 =	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))		

SMALL ENTITY

OR

OTHER THAN
SMALL ENTITY

RATE	FEES
	\$ _____
X \$ _____	=
X \$ _____	=
+ \$ _____	=
TOTAL	

RATE	FEES
	\$ _____
OR X \$ _____	=
OR X \$ _____	=
OR + \$ _____	=
TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2.

CLAIMS AS AMENDED - PART II

(Column 1)

(Column 2)

(Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))	44	minus	30	14
Independent (37 CFR 1.16(b))	13	minus	4	9
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				

1-16 (17) 21 26 27 30 31 34 39 40
(18) 49 60 51 52 53 54 55 57 69

(Column 1)

(Column 2)

(Column 3)

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))	*	minus	**	=
Independent (37 CFR 1.16(b))	*	minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				

SMALL ENTITY

OR

OTHER THAN
SMALL ENTITY

RATE	ADDITIONAL FEE
X \$ 25 =	350.00
X \$ 100 =	900.00
+ \$ 180 =	0
TOTAL ADD'L FEE	1250

RATE	ADDITIONAL FEE
X \$ _____ =	
X \$ _____ =	
+ \$ _____ =	
TOTAL ADD'L FEE	

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))	*	minus	**	=
Independent (37 CFR 1.16(b))	*	minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				

RATE	ADDITIONAL FEE
X \$ _____ =	
X \$ _____ =	
+ \$ _____ =	
TOTAL ADD'L FEE	

RATE	ADDITIONAL FEE
X \$ _____ =	
X \$ _____ =	
+ \$ _____ =	
TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete. Including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

JAN 03 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Burbank et al.) Examiner: Brian S. Szmal
For: BREAST BIOPSY SYSTEM AND) Group Art Unit: 3736
METHODS)
Serial No. 09/929,371)
Filed: August 13, 2001)
Docket No.: R0367-00101)

AMENDMENT AND RESPONSE
TO OFFICE ACTION
MAILED 10/03/2005

CERTIFICATE OF MAILING PURSUANT TO 37 CFR 1.8
I hereby certify that these papers are being sent by facsimile to (571) 273-0830, addressed to Attn: Brian S. Szmal, Mail Stop Amendment,
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 10/03/2005, in San Francisco, CA
By Patricia L. Peary

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed October 3, 2005, please amend the
above-referenced application as follows:

01/04/2006 JBALINAN 00000003 041679 09929371

01 FC:2202 250.00 DA

1

Serial No.: 09/929,371
Attorney Docket No.: R0367-00101

SP86063.2
PAGE 6/22* RCVD AT 1/3/2006 6:38:02 PM (Eastern Standard Time)* SVR:USPTO-EFXRF-6/29* DNI:2738300* CSID:4153712201* DURATION (mm:ss):0548

2202 \$350 (14)
2201 \$900 (9)

Conclusions

The applicants believe that the pending claims are directed to patentable subject matter. Reconsideration and an early allowance of these claims are earnestly solicited.

Respectfully submitted,

By:


Edward J. Lynch
Registration No. 24,422
Attorney for Applicants

DUANE MORRIS LLP
One Market
Spear Tower, Ste. 2000
San Francisco, CA 94105
Telephone: (415) 371-2200
Facsimile: (415) 371-2201
Direct Dial: (415) 371-2267

17

Serial No.: 09/929,371
Attorney Docket No. R0367-00101

PAGE 22/22 *RCVD AT 1/3/2006 6:38:02 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/29 * DNI:2738300 * CSID:4153712201 * DURATION (mm:ss):05:48

BEST AVAILABLE COPY

JAN 03 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of *Burbank et al.*) Examiner: Brian S. Szmal
 For: **BREAST BIOPSY SYSTEM AND METHODS**) Group Art Unit: 3736
 Serial No.: 09/929,371)
 Filed: August 13, 2001)
 Atty. Docket No.: R0367-00101) **TRANSMITTAL**

CERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8
 I hereby certify that this these papers are being sent by facsimile to (619) 734-6300, addressed to Examiner Brian S. Szmal, at Mail Stop
 Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 3, 2006, in San Francisco, CA.

Anne Marie Levy

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

1. Transmitted herewith for filing in the above-identified patent application is an Amendment and Response to Office Action Mailed 10/03/2005 and Terminal Disclaimer by Attorney.
2. Claim Fee Calculation

No additional claim fee is required.

Amendment increases number of claims or multiple dependencies.

Additional Claim Fee Calculation

Independent Claims	2201	15 - 15 =	0 x	\$100=	\$0-
Total Claims	2202	44 - 34 =	10 x	\$25=	\$250

Fees Due \$250

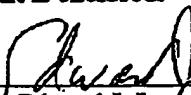
3. Additional fees: Terminal Disclaimer fee under 37 CFR 1.20(d) \$65

Total Fees Due \$315

4. Payment of Fees

Enclosed is a check for the total fees due in the amount of ____.

The Commissioner is authorized to charge any additional fees and to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0367-00101. A duplicate copy of this document is enclosed.

By: 

Edward J. Lynch

Registration No. 24,422

Duane Morris LLP

One Market

Spear Tower, Suite 2000

San Francisco, CA 94105

Direct Dial: (415) 371-2267

Facsimile: (415) 371-2201

SW7100.1

BEST AVAILABLE COPY

United States Patent and Trademark Office
- Sales Receipt -

.03/14/2006 LFULTON 00000005 041679 09929371

01 FC:2202 350.00 DA
02 FC:2201 900.00 DA